

REMARKS/ARGUMENTS

Status

This Request for Continued Examination is in response to the Final Office Action mailed January 2, 2009—and Advisory Action mailed March 23, 2009—in which the following rejections were set forth: Claims 1-3, 5-9, and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,589,348, issued to Ott, (“*Ott*”) in view of U.S. Published Patent Application No. 20050173018 of Herre et al. (“*Herre*”) and further in view of U.S. Patent No. 5,289,947, issued to Akeel, (“*Akeel*”).

By this response, Claim 1 has been amended and no claims have been added or cancelled. As such, Claims 1-12 are pending in this application.

Claim Rejections

Applicant has amended Claim 1 to include the first and the second pig stations being capable of temporarily storing the two pigs. That is, the two pigs 10a and 11a are in their respective packing positions inside the first pig station 6a. See Specification, page 7, lines 24-31. Starting from this situation, the pig 10a is pushed out of the pig station and therefore leaves its parking position within the first pig station 6a. See Specification, page 12, lines 6-9. After several steps, the second pig 11a is pushed out of the first pig station 6a—see Specification at page 3, lines 1-2—and therefore leaves its parking position within the first pig station 6a, too. Thereupon the first pig 10a enters the second pig station 7a and reaches a parking position therein. See Specification, page 13, lines 22-24, and 32-33. The second pig 11a subsequently reaches a parking position in the second pig station 7a as well. See Specification, page 14, lines 20-23. Thereupon the second pig 11a is forced out of the second pig station 7a and reaches its parking position in the first pig station 6a again. See Specification, page 15, lines 29-31, and page 16, lines 4-21. Further, the first pig 10a also reaches its parking position within the first pig station 6a again. See Specification, page 17, lines 1-3.

In summary, the two pigs 10a, 11a are conveyed between the first pig station 6a and the second pig station 7a in a “to and fro” movement. Consequently, both the first pig station 6a as well as the second pig station 7a are necessarily capable of temporarily storing the pigs. If the first pig station 6a and the second pig station 7a were not capable of temporarily storing the pigs, a “to and fro” movement would not be established and no conveying of a cleaning agent between the two pigs could take place. As such, Applicant asserts that the newly claimed element of the

two pig stations being capable of temporarily storing the pigs is therefore supported by the specification of the present application as originally filed.

Thus, the pig stations are now precisely defined within amended Claim 1 as being capable of temporarily storing the pigs. And as previously presented in Applicant's Reply to the Office Action mailed January 2, 2009, *Akeel* only discloses a pig injector assembly 200 and a pig ejector assembly 212, which are not capable of temporarily storing the pigs. In fact, at least three intellectual steps are necessary to obtain the subject matter of amended claim 1 on the basis of *Akeel*.

That is, a person having ordinary skill in the art firstly would have had to intellectually replace the injector assembly 200 and the ejector assembly 212 of *Akeel* by a first and a second pig station that are capable of temporarily storing the two pigs. *Akeel* however utilizes only one pig for conveying the paint. Therefore, a person having ordinary skill in the art would have had to replace the one pig method of *Akeel* by the two pig method according to Applicant's amended Claim 1. And thirdly, a person having ordinary skill in the art would have had to had been motivated to attain Applicant's novel idea to integrate the separate dump valve 142 of *Akeel* to the second pig station capable of temporarily storing the pig. There however is no suggestion within the relied upon prior art to motivate a person having ordinary skill in the art to do so because *Akeel* clearly provides the separate dump valve 142 as an appropriate component to dispose residual paint without involving the ejector assembly 212 to the disposal process, but not as storage of the pig. Thus, even assuming for the sake of argument that there was some suggestion or motivation to one having ordinary skill in the art to utilize *Akeel* in combination with *Ott* and *Herre*, such a combination would still fail to disclose each and every element of Applicant's amended Claim 1.

Because the relied upon cited prior art, alone or in combination, fails to disclose, teach, or suggest each and every element of Applicant's amended Claim 1—as well as Claims 2-12 which are ultimately dependent thereon—Applicant submits all pending claims are in condition for allowance and respectfully requests the rejections to all pending claims be withdrawn.

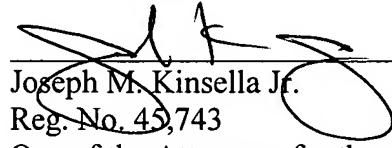
Appl. No. 10/520,302
Amdt. dated May 4, 2009
Reply to Office Action mailed January 2, 2009

CONCLUSION

Based upon the above remarks, Applicant respectfully requests that all rejections be removed and all pending claims be passed to issuance. If any additional fees are required with this communication, Applicant herein authorizes the Commissioner to deduct such fees from Deposit Account No. 50-0545.

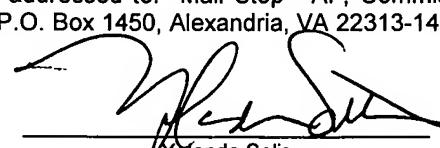
Respectfully Submitted,

Dated: May 4, 2009


Joseph M. Kinsella Jr.
Reg. No. 45,743
One of the Attorneys for the Applicants
(312) 226-1818

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop - AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 4, 2009.


Yolanda Solis